

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKUSDC-SDNY
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JIMMY M. JONES,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

No. 13-CV-7379 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

On October 17, 2013, Plaintiff Jimmy M. Jones, who is proceeding *pro se*, filed a complaint appealing the decision of the Commissioner of Social Security to deny her application for a period of disability insurance and supplemental security income benefits. The case was referred to Magistrate Judge Frank Maas for a report and recommendation. On August 6, 2015, Judge Maas issued a report and recommendation (the “Report”) recommending that the Commissioner’s motion to dismiss be granted. Neither party filed objections to the Report.

A district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Parties may object to a magistrate judge’s recommended findings “[w]ithin 14 days after being served with a copy of the recommended disposition.” Fed. R. Civ. P. 72(b)(2). “When the parties make no objections to the Report, the Court may adopt the Report if ‘there is no clear error on the face of the record.’” *Smith v. Corizon Health Services*, No. 14-CV-8839 (GBD), 2015 WL 6123563, at *1 (S.D.N.Y. Oct. 16, 2015) (quoting *Adee Motor Cars, LLC v. Amato*, 388 F. Supp. 2d 250, 253 (S.D.N.Y. 2005)). “Furthermore, if as here . . . the magistrate judge’s report states that failure to object will preclude appellate review and no objection is made within the allotted time, then the failure to object

generally operates as a waiver of the right to appellate review. As long as adequate notice is provided, the rule also applies to *pro se* parties.” *Hamilton v. Mount Sinai Hosp.*, 331 F. App’x 874, 875 (2d Cir. 2009) (internal citations omitted).

As no objections to the Report were filed, the Court has reviewed Judge Maas’s well-reasoned Report for clear error. After careful review of the record, the Court finds none and thus adopts the Report in its entirety. It is therefore ordered that the Commissioner’s motion to dismiss is granted. The Clerk of Court is respectfully directed to close this case.

SO ORDERED.

Dated: April 11, 2016
New York, New York


Ronnie Abrams
United States District Judge